

# **Miami Dade County**

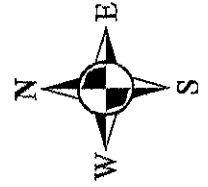
Stephen P. Clark Government Center  
111 N.W. 1st Street  
Miami, Fl. 33128



## **LEGISLATIVE ANALYSIS**

Tuesday, January 20<sup>th</sup>, 2004  
9:30 AM  
Commission Chambers

**Board of County Commissioners**

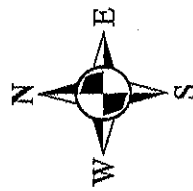
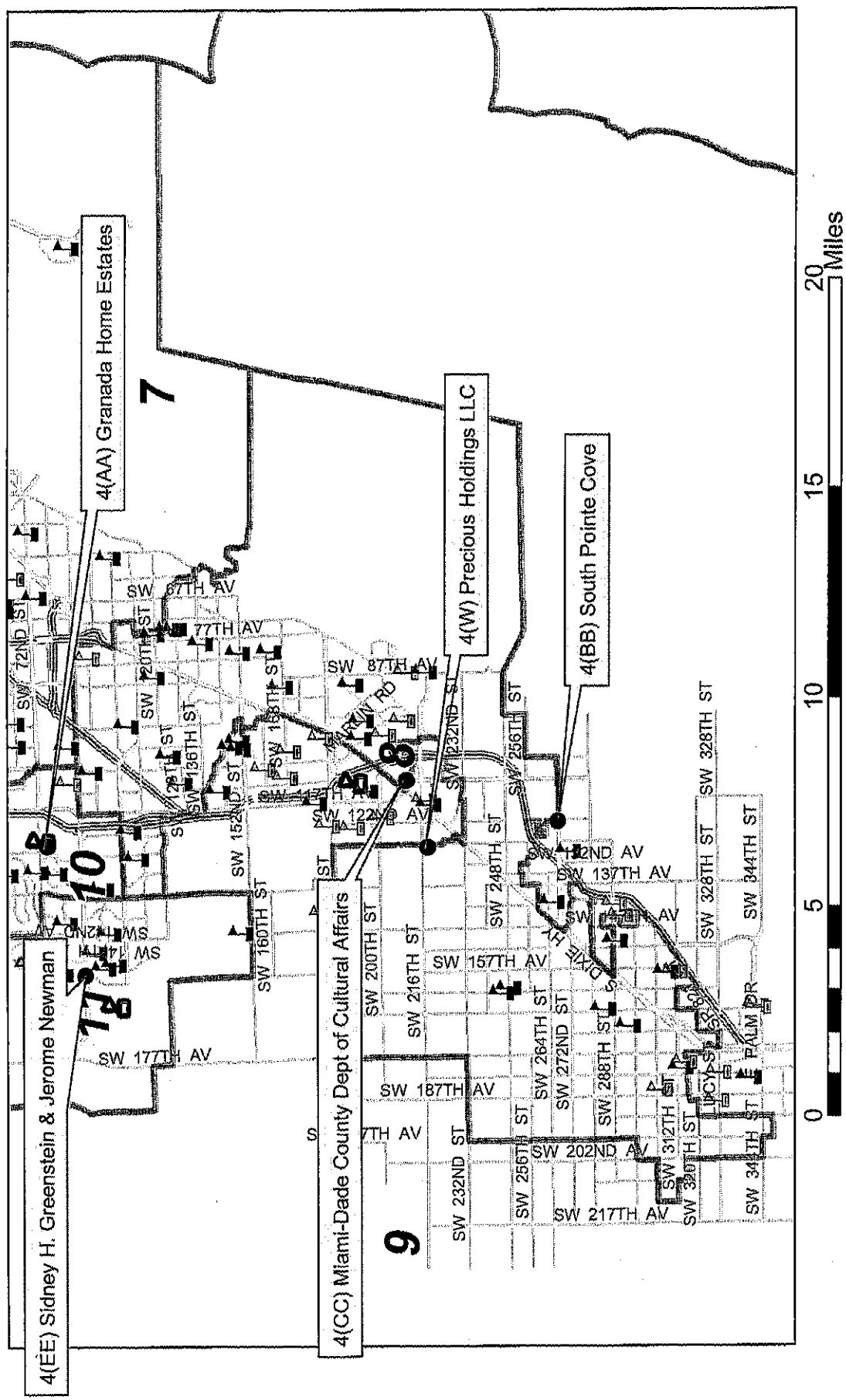
[illegible]

**Over Capacity (More than 110%)**



**Board of County Commissioners**  
**Office of Legislative Analysis**

# Plats for BCC Approval January 20, 2004 (Miami-Dade County--South of Sunset Drive)



**Percent Assigned Program Capacity (As of Oct 01)**

Under Capacity (Less than 90%)

At Capacity (90% - 110%)

Over Capacity (More than 110%)



Board of County Commissioners  
Office of Legislative Analysis

**LEGISLATIVE ANALYSIS AND ECONOMIC IMPACT STATEMENT**

*ORDINANCE GRANTING PETITION OF SHOMA DEVELOPMENT CORPORATION ("SHOMA" OR "PETITIONER") FOR ESTABLISHMENT OF A COMMUNITY DEVELOPMENT DISTRICT; CREATING AND ESTABLISHING CUTLER CAY COMMUNITY DEVELOPMENT DISTRICT ("DISTRICT"); PROVIDING FOR NAME, POWERS AND DUTIES; PROVIDING DESCRIPTION AND BOUNDARIES; PROVIDING INITIAL MEMBERS OF BOARD OF SUPERVISORS; PROVIDING SEVERABILITY, EXCLUSION FROM THE CODE AND AN EFFECTIVE DATE*

Public Works Department

**I. SUMMARY**

These Ordinances will create the Cutler Cay CDD, Lakes by The Bay South CDD, and the Islands at Doral CDD.

**II. PRESENT SITUATION**

N/A

**III. POLICY CHANGE AND IMPLICATION**

Community Development Districts have no fiscal impact on the County.

**IV. ECONOMIC IMPACT**

The CDD process passes the economic burden for developing infrastructure to the developer not the County.

**V. COMMENTS AND QUESTIONS**

Item	District	CDD Cost	Units in CDD	Acres
4O	8	\$16.5 Million	525	215.336
4P	8	\$53.035 Million	3369	516.54
4Q	12	\$7.424 Million	531	68.01

**LEGISLATIVE ANALYSIS AND ECONOMIC IMPACT STATEMENT**

*ORDINANCE AUTHORIZING THE MIAMI-DADE COUNTY MANAGER TO APPLY TO THE U.S. DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT (USHUD) FOR A SECTION 108 LOAN PROGRAM GUARANTEE IN THE AMOUNT OF \$20.6 MILLION FOR THE PURPOSE OF PROVIDING FINANCIAL ASSISTANCE TO FACILITATE THE REMEDIATION AND REDEVELOPMENT OF THE APPROXIMATELY 56 ACRE FLORIDA EAST COAST RAILROAD SITE; AMENDING THE 2003-2007 COMMUNITY DEVELOPMENT BLOCK GRANT CONSOLIDATED PLAN, AS PREVIOUSLY AMENDED, TO REFLECT THIS SECTION 108 LOAN GUARANTEE PROGRAM APPLICATION AND PROPOSED USE OF FUNDS; MAKING THIS PROPOSED SECTION 108 LOAN GUARANTEE ASSISTANCE TO BISCAIYNE DEVELOPMENT PARTNERS, INC. SUBJECT TO THE COUNTY'S SOLE DETERMINATION REGARDING THE SUCCESSFUL IMPLEMENTATION OF THE JOINT PARTICIPATION AGREEMENT BETWEEN THE MIAMI-DADE COUNTY AND THE CITY OF MIAMI DATED SEPTEMBER 9, 1998 WHEREBY THE CITY OF MIAMI AGREED TO SUBSTITUTE ITSELF AS GUARANTOR FOR EIGHTY PERCENT (80%) OF THE \$25,000,000 USHUD SECTION 108 LOAN TO PARROT JUNGLE AND GARDENS OF WATSON ISLAND AKA PARROT JUNGLE ISLAND; AUTHORIZING THE MIAMI-DADE COUNTY MANAGER TO EXECUTE THE SECTION 108 LOAN APPLICATION AND OTHER REQUIRED DOCUMENTS; PROVIDING SEVERABILITY, AND EFFECTIVE DATE*

Office of Community and Economic Development

**I. SUMMARY**

This ordinance authorizes the County Manager to submit a USHUD Section 108 Loan Guarantee Application in the amount of \$20.6 million for the Remediation and Redevelopment of the 56-acre Florida East Coast Railway Site. This project is expected to cost \$482.9 million in the first three years and over \$1 billion over the next seven years.

**II. PRESENT SITUATION**

The County entered into a Joint Participation Agreement in 1998 with the City of Miami to lend \$25 million of USHUD Section 108 dollars to Parrot Jungle and Gardens of Watson Island a/k/a Parrot Jungle Island. This Ordinance is contingent upon the City of Miami substituting itself as a guarantor for 80% of the \$25 million Parrot Jungle Loan.

**III. POLICY CHANGE AND IMPLICATION**

By the City of Miami guaranteeing the Parrot Jungle Loan, The County is protecting itself and its CDBG dollars in the case of a default by Parrot Jungle.

**IV. ECONOMIC IMPACT**

<b>Phase I funding (First 3 years)</b>	
Section 108	\$20,600,000
Economic Development Administration	\$2,000,000
S. Florida Regional Planning Council	\$1,000,000
Transportation Funds	\$2,674,000
Community Development District Bonds	\$75,645,000
Developer Private Debt and Equity	\$521,593,000
Anchor Tenant funding	\$17,119,600
<b>TOTAL</b>	<b>\$640,631,600</b>

**V. COMMENTS AND QUESTIONS**

- Why did the City of Miami's Guarantee have to come so late in the process?
- Will the draw downs of funds from USHUD be handled in such a way that no shortfall will occur unlike with the Parrott Jungle Loan?

January 20, 2004

## LEGISLATIVE ANALYSIS AND ECONOMIC IMPACT STATEMENT

### *RESOLUTION RELATING TO TELECOMMUNICATIONS, DATA NETWORK, AND SHARED AIRPORT TENANT SERVICES AT MIAMI-DADE COUNTY AIRPORT SYSTEM FACILITIES; AND AUTHORIZING AWARD AND EXECUTION OF NON-EXCLUSIVE MANAGEMENT AGREEMENT WITH NEXTIRAONE, LLC FOR FIVE YEAR PERIOD*

Aviation Department

#### I. SUMMARY

This is a proposal to award a non-exclusive Aviation Department (MDAD) telecommunications and network management services contract, totaling approx. \$35.6 million, to NextiraOne, LLC. The proposed five-year contract totals approx. \$35.6 million and has two one-year options to renew.

NextiraOne was formed in 2001 by Platinum Equity's acquisition of Williams Communications Solutions (Williams), a firm with an extensive history of providing exclusive telecommunications services to Miami-Dade Aviation Department (MDAD). The proposed contract is for services at both Miami International Airport and MDAD's general aviation airports. It includes both fixed management fees and variable costs.

At the direction of the Transportation Committee on December 11, 2003:

- NextiraOne warranted in the Agreement that *"no owner, officer of the board, or director [of NextiraOne] was a previous owner, officer of the board, or director of Williams Communications Solutions (Article 9.3, handwritten p. 132);*
- The County Manager indicates that crosschecks confirm that none of current principals of NextiraOne or their CSBE subcontractor, H&D Electric, was a principal in Williams (1<sup>st</sup> paragraph, handwritten p. 2); and
- NextiraOne's disclosure affidavits, which had been left out of the Agenda Item presented to the Transportation Committee, have been added to the Agenda Item (handwritten pp. 73-107.

#### II. PRESENT SITUATION

NextiraOne is presently providing similar services to MDAD under an interim, two-year contract that expires February 6, 2004 (approved by the BCC in R-31-02 on January 29, 2001). Under the interim agreement, MDAD agreed to pay NextiraOne:

- \$6.1 million per year as a fixed, annual management fee;
- \$2.8 million in variable costs; and
- \$6.45 million to acquire title to the equipment, infrastructure and inventory at MDAD (amortized over five years).

Prior to the interim agreement, MDAD was paying Williams/NextiraOne to provide the telecommunications infrastructure and services to MDAD approx.:

- \$7.3 million per year; and
- Williams/NextiraOne retained title to the equipment, infrastructure and inventory.

**LEGISLATIVE ANALYSIS AND ECONOMIC IMPACT STATEMENT**

*RESOLUTION APPROVING CHANGE ORDER NO. ONE AND FINAL TO THE CONTRACT WITH AMERICAN ENVIRONMENTAL CONTRACTORS INC., FOR CANAL REPAIR, RESTORATION, AND SEDIMENT HANDLING, PROJECT NO. C02-DEEM-EEC (DEPARTMENT OF ENVIRONMENTAL RESOURCES MANAGEMENT CONTRACT NO. CF002180) [SEE ORIGINAL ITEM UNDER FILE NO. 033230]*

Department of Environmental Resources Management

**I. SUMMARY**

The item is requesting Change Order No. 1 and Final to the contract between American Environmental Contractors, Inc. and Miami-Dade County for the Melrose Canal Dredging Project.

**II. PRESENT SITUATION**

The scope of the contract has already been approved by FEMA. The subject project has already been completed by the contractor.

**III. POLICY CHANGE AND IMPLICATION**

This change request is to increase the contract by 77% due to "design omissions" and "unforeseen changes" to the scope of services. The increased cost is due to:

- (1) The sediment dredging estimates were substantially lower than existing quantities in the canal. The amount of sediment that had to be removed increased by 43%.
- (2) Four additional pay items (tree removal, floating vegetation removal, limited night work, and Riprap construction work) had to be paid to complete the project.

**IV. ECONOMIC IMPACT**

Funding sources:

FEMA	75%
State of Florida	12.5%
Miami-Dade County	12.5% (the local match will be paid by the City of Miami Springs)

Original cost estimate:	\$ 942,540.20
Revised to include Change order No. 1 and Final:	\$1,667,610.48
Change in contract amount:	77%

**BCC ITEM 7(D)(1)(F).**

**January 20, 2004**

**V. COMMENTS AND QUESTIONS**

The local match of \$208,451.31 will be paid by the City of Miami Springs (no cost to the County).

Design work was completed and paid by Miami-Dade County to South Florida Resource Conservation and Development Council Inc. (SFRC&D). They managed the project and prepared full design services. They contracted with C.A.P. Engineering Consultants, Inc. to provide surveying, etc.

The errors and omissions made by the Engineering Consultants and surveyors were under estimates. There errors did not result in over billing of work not needed.

**LEGISLATIVE ANALYSIS AND ECONOMIC IMPACT STATEMENT**

*RESOLUTION AUTHORIZING THE CONVEYANCE OF FIVE PARCELS OF LAND TO GREATER MIAMI NEIGHBORHOODS, INC., FOUR PARCELS OF LAND TO HABITAT FOR HUMANITY OF GREATER MIAMI, INC., TWO PARCELS OF LAND TO HAVEN ECONOMIC DEVELOPMENT, INC., TWO PARCELS OF LAND TO MIAMI BEACH COMMUNITY FOUNDATION, INC., TEN PARCELS OF LAND TO MIAMI-DADE AFFORDABLE HOUSING FOUNDATION, INC., ONE PARCEL OF LAND TO WEST PERRINE COMMUNITY DEVELOPMENT CORPORATION, INC., AND FOUR PARCELS OF LAND TO GOULDS COMMUNITY DEVELOPMENT CORPORATION, INC., FOR INFILL DEVELOPMENT AT A PRICE OF TEN DOLLARS (\$10.00) TO EACH ORGANIZATION, IN ACCORDANCE WITH SECTION 125.38, FLORIDA STATUTES; AND WAIVING ANY LIENS TO THE CONVEYED PROPERTIES PURSUANT TO CHAPTER 17, ARTICLE VII OF THE COUNTY CODE; AUTHORIZING THE COUNTY MANAGER TO TAKE ALL ACTIONS NECESSARY TO ACCOMPLISH SAME; AND AUTHORIZING EXECUTION OF COUNTY DEEDS FOR SUCH PURPOSE*

General Services Administration

**I. SUMMARY**

This resolution facilitates the authority to transfer 23 parcels of land to 6 not-for-profit development corporations. Each parcel must be developed in accordance with the Infill Housing Initiative. Properties are conveyed at a price of ten dollars to each organization through the Infill Housing Initiative in accordance with Florida Statute Section 125.38. This item further recommends that all County liens be released on relevant properties prior to closing.

**II. PRESENT SITUATION**

Presently, the County has a methodology in place for the identification and transfer of property stipulated and defined as Infill Housing Initiative. This initiative is in accordance with Florida Statute Section 125.38. The identifiable parcels are conveyed to qualified community development corporations that are capable of readily developing affordable housing for residents of Miami-Dade County.

**BCC ITEM 7 (F) (1) (E)**  
**January 20, 2004**

**Status of the Infill Housing Initiative Prior to the passing of the Infill Items before  
the BCC on January 20, 2004**

- *89 Infill lots have been sold to the highest bidder.*
- *163 Infill lots have been conveyed to Non-for-profits*
- *30 Infill lots are in the process of either being approved for sale by the BCC or going out to bid*
- *56 bids to be released on October 27th*

**III. POLICY CHANGE AND IMPLICATION**

This item is consistent with County policy. One of the four parcels of land being conveyed Habitat for Humanity of Greater Miami, Inc. is transferred to the School Board. Habitat for Humanity entered into an agreement with the School Board specifically as a commitment to further the redevelopment efforts for HOPE VI. Residents within the HOPE VI area will be trained in the construction and landscaping of such homes developed through this effort.

**IV. ECONOMIC IMPACT**

There is no economic impact associated with this item.

**V. COMMENTS AND QUESTIONS**

### **Why is Infill Development Needed?**

Infill development is the process of developing vacant or under-used parcels within existing urban areas that are already largely developed. Infill development contributes to a more compact form of development which is less consumptive of land and resources. Many developers are bypassing vacant urban area land for less expensive land beyond our cities edges. Our current patterns of sprawling, low-density development at the urban fringe are consuming land (including farmlands, wetlands, and other resource lands) at a much faster rate than population growth.

Infill development offers opportunities to increase the supply of housing types that meet the needs and purchasing power of today's households. The average household size (number of people per household) in the United States today is 2.6 compared to 3.54 in 1950 (Bogdan, 1995). The percentage of "traditional" households with two parents, children (and most likely a dog or cat) have steadily declined in recent years. Smaller families, elderly or empty nester households, single parent households and single individuals make up an increasing share of our households. However, most of our current housing stock was built with this larger traditional family in mind. An increased supply of smaller-sized housing units can offer more affordable and lower maintenance housing choices for smaller households. This is especially important in an era where fewer and fewer households can afford the average-priced home.

Infill development can bring new opportunity and improved quality of life for in-city residents. The migration of higher-income residents, together with the best jobs, educational opportunities and services from many central cities, has left low-income residents isolated. It can be very difficult for them to learn about and travel to distant jobs, especially if dependent on transit that requires multiple bus transfers, or carpooling to scattered job sites. Reduced population and average income in cities also produces fewer tax dollars to support public services, and local businesses. Fewer opportunities and positive role models can contribute to loss of hope, increased anti-social behavior, crime and even riots, as in Los Angeles. These trends further fuel middle-class migration from cities. In contrast, in-city neighborhoods offer living opportunities in neighborhoods with distinctive character and more opportunity for social interaction than sprawl development typically provides. Infill development can return jobs, purchasing power and new amenities to an urban neighborhood.

**Remedying Barriers/Recognizing Opportunities**

Parcels that have remained undeveloped over time, even when surrounding land has developed, are usually vacant for good reason. Although some have been held out of development because of the whims of a property owner or the speculator's hope for future profit, many others are vacant because some obstacle to their development exists. Infill parcels are a special type of development situation that involves greater risk and challenge to a developer and is of greater sensitivity to surrounding neighbors and city officials. However, the time seems particularly ripe for a greater focus on infill development. Recent legislation, changing demographics, and economic conditions as well as present new opportunities for infill.

*Statistics from various research centers have stated the obstacles many vacant parcels face in built-up areas suffer from site constraints that have inhibited their development. A variety of environmental constraints, such as steep slopes, streams or wetlands may restrict development of the parcel. The size, width or shape of a parcel may make it difficult to develop in a manner that meets current land use regulations or current market tastes. The site may be in an area that lacks basic infrastructure such as storm sewer or sidewalks. Sewer and water lines or other facilities may be undersized or deteriorated, requiring expensive improvements. As local budgets tighten, many communities have deferred maintenance on these and other important facilities. At times, parcels have been "landlocked" (left without street access by the development of surrounding lots).*

**LEGISLATIVE ANALYSIS AND ECONOMIC IMPACT STATEMENT**

*RESOLUTION AUTHORIZING THE COUNTY MANAGER OR HIS DESIGNEE TO EXECUTE AN AGREEMENT ALLOCATING \$1,250,000 FROM SURTAX INCENTIVE POOL FUNDS TO BONITA POINTE ASSOCIATES, LTD. FOR THE BONITA POINTE APARTMENTS PROJECT; AND EXECUTE ANY NECESSARY AGREEMENTS*

Miami Dade Housing Agency

**I. SUMMARY**

This item allocates \$1,250,000 of Surtax incentive pool funds to Bonita Pointe Apartments project. This development consists of 164 rental apartment units located in Florida City.

**II. PRESENT SITUATION**

Presently, Bonita Pointe Associates received 4% tax credits instead of 9% tax credit financing in the 2003 Florida Housing Finance Corporation Universal Cycle (FHFC). As a result the developer has a funding gap in the amount of \$1,250,000.

**III. POLICY CHANGE AND IMPLICATION**

This item is consistent with Miami Dade County policies and procedures.

**IV. ECONOMIC IMPACT**

The economic impact associated with this item is \$1,250,000 of Surtax Incentive Pool funds.

**V. COMMENTS AND QUESTIONS**

- The principals for Bonita Pointe are also the principals for Cornerstone.

**LEGISLATIVE ANALYSIS AND ECONOMIC IMPACT STATEMENT**

***RESOLUTION APPROVING THE BUDGET FOR FISCAL YEAR 2003-2004 FOR CITY OF SOUTH MIAMI COMMUNITY REDEVELOPMENT AGENCY***

Office of Community and Economic Development

**I. SUMMARY**

Community Redevelopment Agencies must present a budget to the County which must be approved by the BCC. Before you now, are the Fiscal Year 2003-2004 Budgets for the above listed CRAs. With the exception of the City of Miami's CRA the Manager is supporting approval of the budgets.

**II. PRESENT SITUATION**

The FY 2003-2004 budget is currently before the BCC for approval even though the checks were mailed to the CRAs on December 30, 2003. The Tax Incentive Financing Coordinating Committee has worked hard in streamlining and accelerating this process.

**Time Line for 2003-2004**

October 15, 2003 – Budget Submission due  
November 10, 2003 – Tax Increment Financing Coordinating Committee review  
December 10, 2003 – ED&HS Committee Agenda  
December 30, 2003 – Check transmittals to CRA  
January 20, 2004 – BCC Agenda  
March 31, 2004 – Annual Reports/Audits due

**III. POLICY CHANGE AND IMPLICATION**

The FY 2003-2004 process has been reworked to have at least the ED&HS Committee approve the CRA's budget prior to the funds being disbursed to the CRAs.

All of the CRA's before the Board now have made proper resolutions or have accounted for the Children's Trust ½ Mill revenue to not be included in the CRA's General Budget and have included a provision for the County administrative charge.

**IV. ECONOMIC IMPACT**

The CRAs play a valuable part in the community; however budgetary oversight needs to be closely followed to prevent any improprieties.

**V. COMMENTS AND QUESTIONS**

- The Manager's recommendation is that the City of Miami CRA's budget not be approved in its current state. The Tax Increment Financing Coordinating Committee is currently reviewing prior years and the 2003-2004 budgets along with audit findings before recommending the budget be approved by the Board.

**LEGISLATIVE ANALYSIS AND ECONOMIC IMPACT STATEMENT**

*RESOLUTION APPROVING THAT CAC-CAREPLUS MEDICAL CENTERS, LLCS BE APPROVED AS A TARGETED JOBS INCENTIVE FUND PROGRAM BUSINESS PURSUANT TO THE CODE OF MIAMI-DADE COUNTY, FLORIDA, CHAPTER 2, ARTICLE LXXXVI AS MODIFIED BY ORDINANCE NO. 02-251; CONFIRMING THAT THE COMMITMENT OF INCENTIVE AWARDS FOR CAC-CAREPLUS MEDICAL CENTERS, LLC EXISTS; AND PROVIDING AN APPROPRIATION OF UP TO \$440,866 FROM GENERAL REVENUE FUNDS FOR FISCAL YEARS 2004 THROUGH 2014 WITH THE PROVISIO THAT ANY TAX ABATEMENT GRANTED TO CAC-CAREPLUS MEDICAL CENTERS, LLC, UNDER FLORIDA STATUTE 196.1995, REDUCES ANY TARGETED JOBS INCENTIVE FUND INCENTIVE AWARD TO CAC-CAREPLUS MEDICAL CENTERS, LLC BY THE AMOUNT OF ANY SUCH TAX ABATEMENT GRANTED, IN COMPLIANCE WITH FLORIDA STATUTE 288.106(5)(C); AND PROVIDING FOR AN EFFECTIVE DATE*

Office of Community and Economic Development

**I. SUMMARY**

The Office of Community and Economic Development (OCED) recommends that the BCC approve the attached Targeted Jobs Incentive Fund (TJIF) applications and agreements.

**II. PRESENT SITUATION**

The Targeted Jobs Incentive Fund (TJIF) is an initiative by The Beacon Council and Miami-Dade County patterned after the State of Florida Qualified Target Industry Tax Refund Program (QTI). The program's intent is to attract relocating out-of-area businesses and encourage expansion of existing local companies by providing cash incentive awards.

**III. POLICY CHANGE AND IMPLICATION**

None

**IV. ECONOMIC IMPACT**

AGENDA ITEM	Project Name	New Jobs	New Capital Investment	Miami-Dade New Incremental Tax Revenue Generated	Incentive Award (paid over 6-yr period)	Net Revenue Benefit to Miami-Dade
4P	CAC-CarePlus Medical Centers, LLC	55	\$8,900,000	\$551,083	\$440,866	\$ 110,217

**V. COMMENTS AND QUESTIONS**

None

## **LEGISLATIVE ANALYSIS AND ECONOMIC IMPACT STATEMENT**

*RESOLUTION AUTHORIZING EXECUTION OF A TRI-PARTY AGREEMENT AMONG MIAMI-DADE COUNTY, THE STATE OF FLORIDA DEPARTMENT OF TRANSPORTATION AND FLORIDA EAST COAST RAILWAY CO., LLC, FOR THE INSTALLATION OF RAILROAD CROSSING PROTECTIVE DEVICES AT NE 16 AVENUE*

Public Works Department

### **I. SUMMARY**

This resolution recommends the authorization of a Tri-Party Agreement among Miami-Dade County, the State of Florida Department of Transportation and Florida East Coast Railway Co., LLC (FEC) for the installation and maintenance of the railroad crossing protective devices at NE 131 Street.

### **II. PRESENT SITUATION**

Miami-Dade will participate in the improvement and maintenance of the railroad crossing devices under the Federal 90% and State 10% Matching Funds Program.

The Federal Aid Highway Safety Act established on 1973 and 1976 allocated funds to be utilized for rail-highway grade crossing protective devices at crossings on Non-Federal Aid routes.

Miami-Dade will not participate in the costs of the devices or the installation of the protective devices.

### **III. POLICY CHANGE AND IMPLICATION**

None.

### **IV. ECONOMIC IMPACT**

Miami-Dade County will be responsible for fifty percent for each device at a cost of \$2,820.00 and the Florida East Coast Railway Co., LLC (FEC) will be responsible for the other fifty percent.

### **V. COMMENTS AND QUESTIONS**

The funding for Miami-Dade's portion will come from the Secondary Gas Tax.

## LEGISLATIVE ANALYSIS AND ECONOMIC IMPACT STATEMENT

### *RESOLUTION AUTHORIZING EXECUTION OF A LEASE AGREEMENT FOR THE CONTINUED USE OF A PEDESTRIAN SAFETY WALKWAY BY STUDENTS OF CORAL TERRACE ELEMENTARY SCHOOL ON FLORIDA EAST COAST RAILWAY CO., LLC PROPERTY*

Public Works Department

#### I. SUMMARY

This resolution recommends the authorization of the execution of a Lease between Florida East Coast Railway Co., LLC (FEC) to pay annual fees for the continued use of a pedestrian safety walkway and fence on railway property.

#### II. PRESENT SITUATION

One March 20, 1968, a Lease Agreement was signed for the use of the leased property in the area of SW 69 Avenue running from SW 19 Street to SW 22 Street. The County constructed a pedestrian safety walkway and fence on the railway property to provide access to school children in the area.

#### III. POLICY CHANGE AND IMPLICATION

The new Lease agreement increases the annual rental fee from \$925.00 to \$1,200.00.

#### IV. ECONOMIC IMPACT

N/A

#### V. COMMENTS AND QUESTIONS

Please indicate why there is an increase in the annual rental fee to \$1,200?

The proceeds to pay the annual rental fee will come from the Secondary Gas Tax Funds.

## LEGISLATIVE ANALYSIS AND ECONOMIC IMPACT STATEMENT

*RESOLUTION APPROVING REQUEST FOR WAIVER OF COMPETITIVE BIDS AND APPROVAL OF CHANGE ORDER NO. ONE TO THE CONTRACT WITH BEST STRIPING, INC. FOR ANNUAL PAVEMENT STRIPING CONTRACT NO.23 PROJECT NO. 662532*

Public Works Department

### I. SUMMARY

This resolution authorizes the waiver of the competitive bidding process and the approval of Change Order No. 1 of a contract between Best Striping, Inc. and Miami-Dade County.

Currently, there are at least six local striping companies in Miami-Dade County. According to Public Works Department (PWD), Best Striping, Inc. was the only company in South Florida to purchase contract/bid documents and offer a bid.

### II. PRESENT SITUATION

Best Striping, Inc. was awarded Project No. 662532 with an option to extend the time of the contract for a period of one year at the discretion of the Public Works Director. Best Striping, Inc. is being utilized for marking, striping and paving projects throughout the County.

### III. POLICY CHANGE AND IMPLICATIONS

The reason for Change Order No. One is to increase the contract amount by \$97,500,000 and extend the contract completion date until May 25, 2004. Increasing the contract amount should provide (PWD) funding to address previous commitments involving smaller localized requests.

(PWD) affirms that Best Striping, Inc. was the only company to purchase contract/bid documents, nevertheless, some may argue that there were six or seven local firms that could have been utilized for the existing contract. Moreover, the original completion date was May 26, 2003, however, (PWD) presented the item to the GOE committee on December 2003. Why did it take a significant amount of time for the item to go before the committee?

Some Commissioners have been hesitant to approve waiving the competitive bidding process, with the hope that the competitive bidding process is reflective of the diverse firms in our community. Commissioners are concerned that only certain segments of the community our receiving County contracts.

AGENDA ITEM 7 (P) (1) (E)  
January 20, 2004

In this circumstance, the firm that (PWD) is utilizing is not from Miami-Dade County.

**IV. ECONOMIC IMPACT**

The original contract amount was agreed upon by (PWD) and the contractor to be \$650,000 for marking, striping and paving projects throughout the County. (PWD) claims that increasing the contract amount should provide adequate funding to address previous commitments involving smaller localized requests.

<b>Original Contract Amount:</b>	<b>\$650,000.00</b>
<b>Change Order No. 1</b>	<b>\$97,500.00</b>
<b>Adjusted contract amount:</b>	<b>\$747,500.00</b>
<b>Percentage increase:</b>	<b>(+) 15.00%</b>

Currently, these projects are being funded through the Secondary Gas Tax Funds.

**V. COMMENTS AND QUESTIONS**

It is not uncommon on County projects to have low offers that eventually increase in total cost with Change Orders. Many of these increases are blamed on unforeseen circumstances, omission errors and design errors. Of course it is not possible to anticipate additional conditions when bidding construction projects.

Additionally, it has become common to award firms with existing County contracts new contracts due to an urgency of a project and/or because the firm's performance surpasses (PWD) expectations.

Some may argue that the County is not doing enough to require departments not to circumvent the competitive bidding process. By not being inclusive, the County may be excluding certain groups in our community that may pose valuable knowledge with similar or higher standards.

## LEGISLATIVE ANALYSIS AND ECONOMIC IMPACT STATEMENT

### *RESOLUTION DIRECTING THE COUNTY MANAGER TO COMMENCE THE PROCESS WITH THE PAN AMERICAN HEALTH ORGANIZATION (PAHO) FOR THE DESIGNATION OF MIAMI-DADE COUNTY AS A HEALTHY CITY AND COMMUNITY*

Senator Javier D. Souto

#### I. SUMMARY

This resolution directs the County Manager to commence the process with the Pan American Health Organization (PAHO) for the designation of Miami-Dade County as a *Healthy City and Community*<sup>1</sup>.

#### II. PRESENT SITUATION

According to the PAHO website, PAHO is an affiliate of the World Health Organization. PAHO's mission is to strengthen national and local health systems and improve the health of the people of the Americas, in collaboration with other entities. The membership of PAHO is as follows: **Member States** include all thirty-five (35) countries in the Americas. **Associate Member** is Puerto Rico. **Participating States** include France, Kingdom of the Netherlands, The United Kingdom of Great Britain and Northern Ireland. **Observer States** are Portugal and Spain.

#### III. POLICY CHANGE AND IMPLICATION

In an effort to acquire this designation as a *Healthy City and Community*<sup>1</sup>, efforts will be made to implement effective health promotion strategies throughout the county. Staff reports that this designation will give Miami-Dade County international recognition. However, staff also indicates that it is unclear how this designation will benefit the county and its own existing and future healthcare planning efforts.

#### IV. ECONOMIC IMPACT

The Office of Countywide Healthcare Planning, according to staff, will consist of six staff members. The approval of this item will require that at least **one additional staff person** is hired at an approximate **annual salary of \$57,000 for a minimum of three years**. Additionally, staff indicates that the development of goals and objectives, in an effort to maintain a *Healthy City and Community*<sup>1</sup> designation, will be required. Staff suggests that the requirements of this designation is a duplication of efforts, and the goals and objectives to be developed as a part of the *Healthy City and Community*<sup>1</sup> designation, have already been identified, but have not been implemented due to a lack of funding.

---

<sup>1</sup> PAHO officially refers to this designation as a *Healthy Municipality and Community*, as per the PAHO website. [www.paho.org](http://www.paho.org)

## V. COMMENTS AND QUESTIONS

The PAHO website<sup>2</sup> highlights *Healthy Municipality and Community* efforts, formal and informal, throughout the Americas. However, the majority of these efforts have been made in developing countries in Central and South America. Nevertheless, examples of efforts made to maintain this designation include:

- “Changing the traditional treatment model to one that emphasizes health promotion and disease prevention activities” – *Rosario, Argentina*
- “Adding new diagnostic equipment, remodeling of waiting rooms, and providing new services” – *Rosario, Argentina*
- “Improvement of school health infrastructure and increase in vaccination coverage for children under the age of 1” – *Cuilco, Guatemala*
- “Municipal and social planning, economic growth and care of the environment, social development with a gender perspective...” – *El Alto, Bolivia*
- “Integrate activities in the area of health, education, culture and sports to benefit the children of Santos” – *Santos, Brazil*
- “Comprehensive programs for senior citizens...” – *Nandasmo, Nicaragua*
- “Education and training in the prevention of health problems” – *Quillota Province, Chile*

---

<sup>2</sup> [http://165.158.1.110/english/hpp/hmc\\_dir.htm](http://165.158.1.110/english/hpp/hmc_dir.htm)

## LEGISLATIVE ANALYSIS AND ECONOMIC IMPACT STATEMENT

*RESOLUTION AUTHORIZING THE COUNTY MANAGER TO AWARD CONTRACTS AND EXECUTE AGREEMENTS ON BEHALF OF THE MIAMI-DADE COUNTY YOUTH CRIME TASK FORCE CRIME PREVENTION INITIATIVE; WAIVING FORMAL BID PROCEDURES AND BID PROTEST PROCEDURES OF THE MIAMI-DADE COUNTY HOME RULE CHARTER AND ADMINISTRATIVE ORDER 3-21 BY A TWO-THIRDS VOTE OF THE BOARD MEMBERS PRESENT*

Chairperson Barbara Carey-Shuler, Ed.D.

### I. SUMMARY

This resolution will authorize the county manager to waive formal bid procedures and bid protest procedures, pursuant to Section 4.03(D) of the Home Rule Charter and Administrative Order 3-21, and to expend 2002-2003 funds, allocated to the Miami-Dade Youth Crime Task Force Preventive Initiative, to the *University of Miami/Jackson Memorial Hospital Gate Program for Juvenile Weapon Offenders* (hereinafter referred to as "*Juvenile Weapon Offenders program*").

### II. PRESENT SITUATION

According to staff, the *Juvenile Weapon Offenders Program's* primary funding source is a previous grant received from the *Miami-Dade Youth Crime Task Force Preventive Initiative* (hereinafter referred to as "*Youth Task Force*"). The *Juvenile Weapon Offenders Program* was selected to receive 2002-2003 funds from the *Youth Task Force*, however, these funds have not been disbursed. Staff indicates, that in reliance on the receipt of these 2002-2003 funds, they have continued to operate the program.

### III. POLICY CHANGE AND IMPLICATION

Approval of this resolution would authorize the county manager to allocate the 2002-2003 Youth Task Force funds to the *University of Miami/Jackson Memorial Hospital GATE Program for Juvenile Weapon Offenders*, and to waive formal bid and bid protest procedures.

### IV. ECONOMIC IMPACT

Staff indicates that the *Juvenile Weapon Offenders program*, is to receive a total annual amount of \$112,500. This amount was pro-rated, according to staff, from a total annual amount of \$150,000.

### V. COMMENTS AND QUESTIONS

According to staff, *The University of Miami/Jackson Memorial Hospital GATE program for Juvenile Weapon Offenders* is a program that targets adolescent males in Miami-Dade County between the ages of 12-17. Participants in the program typically are first or second time offenders, who have been charged with minor offenses involving a weapon (**continued on next page**).

**January 20, 2004**

**COMMENTS AND QUESTIONS (continued)**

Participants are required to be involved in the program for a period of six (6) months, or 100 hours. Components of the program include exposing participants to all consequences of gun use (i.e. tours of the trauma ward, nursing homes, and the morgue), and skill-building instruction.

**LEGISLATIVE ANALYSIS AND ECONOMIC IMPACT STATEMENT**

*RESOLUTION DECLARING FOUR COUNTY-OWNED LOTS, IDENTIFIED IN INVITATION TO BID NO. 5 FOR SALE OF COUNTY-OWNED LOTS UNDER THE INFILL HOUSING INITIATIVE, SURPLUS; AUTHORIZING THE SALE OF LOTS IN GROUP 5 TO PERSONAL PARADISE DEVELOPERS, INC.; AUTHORIZING THE WAIVER OF ALL COUNTY LIENS PURSUANT TO SECTION 17-126 OF THE CODE; AUTHORIZING THE COUNTY MANAGER TO TAKE ALL ACTIONS NECESSARY TO ACCOMPLISH SAME; AND AUTHORIZING EXECUTION OF COUNTY DEEDS FOR SUCH PURPOSE*

General Services Administration

**I. SUMMARY**

This resolution facilitates the sale of a total of 4 parcels of land divided by location to the Personal Paradise Developers, Inc for \$19,502. Each parcel must be developed with an affordable single family home according to the guidelines of the Infill Housing Initiative. Properties are conveyed through the Infill Housing Initiative in accordance with Florida Statute Section 125.38. This item further recommends that all County liens be released on said properties.

**II. PRESENT SITUATION**

Presently, Personal Paradise Incorporated was the next highest bidder for Group 5 following the withdrawal of TLMC Enterprises, Inc on October 15, 2003. This item facilitates the bid being awarded to Personal Paradise Inc in accordance with bid procedures.

**BCC ITEM 11 (A) (2)**  
**January 20, 2004**

**Status of the Infill Housing Initiative Prior to the passing of the Infill Items before the BCC on January 20, 2004**

- *89 Infill lots have been sold to the highest bidder.*
- *163 Infill lots have been conveyed to Non-for-profits*
- *30 Infill lots are in the process of either being approved for sale by the BCC or going out to bid*
- *56 bids to be released on October 27th*

**III. POLICY CHANGE AND IMPLICATION**

This item is consistent with Miami-Dade County policies and procedures relating to competitive bid procedures.

**IV. ECONOMIC IMPACT**

The economic impact associated with this item is consistent with the County's Infill Housing Initiative.

**V. COMMENTS AND QUESTIONS**

***NOTE: Group Number 5 (TLMC) withdrew its bid on October 15, 2003. The second highest bidder is Personal Paradise, Inc. with a bid amount of \$19,502***

***\*\*See attachment letter from Group Number 5 TLMC Enterprises***

### **Why is Infill Development Needed?**

Infill development is the process of developing vacant or under-used parcels within existing urban areas that are already largely developed. Infill development contributes to a more compact form of development which is less consumptive of land and resources. Many developers are bypassing vacant urban area land for less expensive land beyond our cities edges. Our current patterns of sprawling, low-density development at the urban fringe are consuming land (including farmlands, wetlands, and other resource lands) at a much faster rate than population growth.

Infill development offers opportunities to increase the supply of housing types that meet the needs and purchasing power of today's households. The average household size (number of people per household) in the United States today is 2.6 compared to 3.54 in 1950 (Bogdan, 1995). The percentage of "traditional" households with two parents, children (and most likely a dog or cat) have steadily declined in recent years. Smaller families, elderly or empty nester households, single parent households and single individuals make up an increasing share of our households. However, most of our current housing stock was built with this larger traditional family in mind. An increased supply of smaller-sized housing units can offer more affordable and lower maintenance housing choices for smaller households. This is especially important in an era where fewer and fewer households can afford the average-priced home.

Infill development can bring new opportunity and improved quality of life for in-city residents. The migration of higher-income residents, together with the best jobs, educational opportunities and services from many central cities, has left low-income residents isolated. It can be very difficult for them to learn about and travel to distant jobs, especially if dependent on transit that requires multiple bus transfers, or carpooling to scattered job sites. Reduced population and average income in cities also produces fewer tax dollars to support public services, and local businesses. Fewer opportunities and positive role models can contribute to loss of hope, increased anti-social behavior, crime and even riots, as in Los Angeles. These trends further fuel middle-class migration from cities. In contrast, in-city neighborhoods offer living opportunities in neighborhoods with distinctive character and more opportunity for social interaction than sprawl development typically provides. Infill development can return jobs, purchasing power and new amenities to an urban neighborhood.

**BCC ITEM 11 (A) (2)**

**January 20, 2004**

**Remedying Barriers/Recognizing Opportunities**

Parcels that have remained undeveloped over time, even when surrounding land has developed, are usually vacant for good reason. Although some have been held out of development because of the whims of a property owner or the speculator's hope for future profit, many others are vacant because some obstacle to their development exists. Infill parcels are a special type of development situation that involves greater risk and challenge to a developer and is of greater sensitivity to surrounding neighbors and city officials. However, the time seems particularly ripe for a greater focus on infill development. Recent legislation, changing demographics, and economic conditions as well as present new opportunities for infill.

*Statistics from various research centers have stated the obstacles many vacant parcels face in built-up areas suffer from site constraints that have inhibited their development. A variety of environmental constraints, such as steep slopes, streams or wetlands may restrict development of the parcel. The size, width or shape of a parcel may make it difficult to develop in a manner that meets current land use regulations or current market tastes. The site may be in an area that lacks basic infrastructure such as storm sewer or sidewalks. Sewer and water lines or other facilities may be undersized or deteriorated, requiring expensive improvements. As local budgets tighten, many communities have deferred maintenance on these and other important facilities. At times, parcels have been "landlocked" (left without street access by the development of surrounding lots).*



October 15, 2003

Jeff Cull, GSA  
Miami Dade County  
General Services Administration - Real Estate Services  
111 NW 1<sup>st</sup> Street, Suite #2460  
Miami, FL 33128

Re: Sale of County-owned Property Under the Infill Housing Initiative, Bid No. 5  
Group 5: Fax Folios 30-3115-004-0740, 30-3115-027-1410, 30-3115-028-0040  
& 30-3115-035-0250

Dear Mr. Cull:

This letter serves to withdraw the bid for TLMC Enterprises, Inc. for the above referenced bid dated June 20, 2003.

I spoke with Emma Duffy on Tuesday October 14, 2003 she advised me that the Board would be meeting today. She further stated that bid no. 5 was removed from the agenda; therefore she will not be able to tell me when the bid would be awarded.

At the time of submission we had anticipated that this bid would have been awarded within a 60-day period.

At this time our workforce, equipment and financial resources have been diverted to other projects.

We sincerely apologize for any inconvenience this may have caused.

Sincerely,

A handwritten signature in dark ink, appearing to read "Tammy McNair".

Tammy McNair  
President

Cc: Emma Duffy  
Lee Solomon

GENERAL CONTRACTING • ENGINEERING • CONSTRUCTION MANAGEMENT